

Margaret Utterback

Partner

Margaret Utterback is a partner in the Business Law Practice Group, the current chair of the Madison Business Law Practice Group, and former co-chair of the firm's Data Privacy & Security team. She practices in the areas of commercial finance, data privacy and security, commercial law, and mergers and acquisitions. She has experience representing clients in corporate transactions, including acquisitions and divestitures. In addition, her practice includes health care mergers and acquisitions and public finance transactions as borrower's counsel.

Margaret's recent projects include:

- Counsel for independent nonprofit hospital in an affiliation transaction resulting in a new sole member, and a secondary transaction transferring the stock of a wholly owned insurer to the new member.
- Counsel to publicly and privately held clients in connection with negotiating and restructuring credit facilities.
- Counsel to commercial lenders and borrowers in single lender and syndicated credit transactions and secured and unsecured financings.
- Counsel to privately held clients in connection with response to data breaches, including breaches resulting from attacks on point of sale systems, stolen equipment, and inadvertent breaches.
- Counsel to privately held clients in connection with development and implementation of data security breach response plans, document retention policies, and "Bring Your Own Device" policies.
- Counsel to retail and manufacturing clients in connection with acquisition by privately held companies.
- Representation of clients in connection with e-commerce transactions, including drafting of privacy policies and terms of use, and negotiation of internet hosting agreements, ASP agreements, and internet terms and conditions of sale.
- Representation of health care and senior living facilities as borrowers in connection with tax-exempt bond financing projects and other transactions.
- Negotiation and drafting of commercial agreements, including manufacturer's representative agreements, broker agreements, confidentiality agreements, letters of intent, supply agreements, standard terms and conditions of sale and purchase, power purchase agreements, and third-party legal opinions.



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Legal Services

- Business Law
 - Commercial Financial Services
 - Commercial Contracting
- Data Privacy & Security
- Mergers & Acquisitions
- Banking & Financial Institutions
 - Finance
- Health & Life Sciences
 - Health Care Transactions
 - Health Information Technology, Privacy & Security
- Automotive Industry

Education and Honors

- University of Notre Dame, Mendoza College of Business (Certificate of Executive Management, 2013)
- University of Wisconsin Law School (J.D., *magna cum laude*, 2001)
 - Wisconsin Law Review (Senior Note and Comment Editor, 2000–2001; Member, 1999–2000)
- United States Naval Academy (B.S., 1987)
 - *with merit*

Bar Admissions

- Wisconsin

Court Admissions

- U.S. District Court, Western District of Wisconsin, 2001

Professional and Civic Activities

- University of Wisconsin Madison Law School, Adjunct Faculty (2011–2013)
- Wisconsin Bar Association (Member, 2001–present)
- American Bar Association (Member, 2001–present)
- International Association of Privacy Professionals (Member)
- Blue and Gold Officer (2000–2013)
- Board of Directors, Children’s Theatre of Madison, Inc. (2011–present)
- Board of Directors, Girl Scouts of Wisconsin – Badgerland, Inc. (2014–present; Chair, 2015–present)
- Board of Directors, Second Harvest Food Bank of Southern Wisconsin (2015–present)

Professional Recognition

- Listed in Chambers USA® (2016–present: Banking & Finance)
- Listed in The Best Lawyers in America® (2013–present: Corporate)

- Compliance Law; Corporate Law)
- Selected for inclusion in Wisconsin Super Lawyers® 2016–present (Business/Corporate)
- Selected for inclusion in Wisconsin Super Lawyers®–Rising Stars Editions 2008–2010 (Business/Corporate)

Languages

- French

Publications and Presentations

04/07/17

"Data Dos and Don'ts for Digital Healthcare Apps"

Great Lakes Biomedical Conference

05/23/16

"FAA Establishes Drone Advisory Council"

Safe and Sound

02/23/16

"Data Breach Response is a Team Sport"

Data Privacy & Security Webinar Series

02/16/16

"Hospital's Network Held Hostage by Hackers"

Safe and Sound

08/25/15

"FTC Confirmed as Data Privacy and Security Sheriff: Court Holds That FTC Can Regulate Company's Data Practices"

Safe and Sound

07/09/15

"What directors should know about a company's readiness to deal with a data breach"

Inside Counsel

07/06/15

"VCs considering data when evaluating funding targets"

Safe and Sound

02/23/15

"Putting a plan into place to protect your company — Part 3"

Safe and Sound

02/09/15

Anthem Breach Potentially Affects One in Four Americans

Data Privacy and Security Law Alert

02/09/15

"Officers, boards maintain roles in protecting companies — Part 2"

Safe and Sound

02/02/15

"Officers and boards have key roles in protecting companies — Part 1"

Safe and Sound

01/20/15

"Despite reported drop in breaches — threat is greater than ever"

Safe and Sound

12/29/14

"Counseling your board of directors and officers on cybersecurity risks"

Safe and Sound

12/16/14

"Holiday season underscores the growing concern of data security"

Safe and Sound

12/12/14

Federal Court Finds Retailer May Owe Banks a Duty to Protect Consumers' Financial Information

Data Privacy and Security Law Alert

11/24/14

"Republican majority may mean the passage of privacy legislation"

Safe and Sound

10/27/14

"High value of personal data attracts more sophisticated hackers"

Safe and Sound

10/21/14

California Breach Notification AB 1710

Data Privacy and Security Law Alert

10/15/14

"Navigating rules and regulations across U.S. borders"

Safe and Sound

06/25/14

Broad Florida Information Security Law Impacts Numerous Companies

Technology & Data Privacy Law Update

04/15/14

How to Stop the Bleeding, Hopefully Before it Starts

Data Privacy and Security Law Alert

06/20/13

New COPPA Regulations Coming: Are You Sure You are Ready?

Data Privacy and Security Law Update

12/08/11

“Online Terms & Conditions: Use, Practice and Enforceability”

Quarles & Brady’s Business Law Training

12/16/10

Bill Would Exempt Many Businesses, Health Care Providers from the FTC's Red Flags Rule

Business Law Update

12/01/10

Tax Law Changes for 2011 Affect Municipal Bonds

Public Finance Law Update

06/01/10

Oops, They Did it Again: The FTC Extends the Red Flags Rule Deadline Until December 31, 2010

Business Law Alert

05/01/10

“Full Disclosure: Policies and practices when your customers’ information is at your Website”

AFP Exchange

02/23/10

Build America Bonds: IRS Sends Out Questionnaire to Issuers of Build America Bonds Regarding Post Issuance Compliance

Public Finance Law Update

02/02/10

Recovery Zone Facility Bonds: Waiver and Reallocation of Allocations; Counties Permitted to Issue Industrial Revenue Bonds Under WI 2009 Senate Bill 440

Public Finance Update

11/03/09

It's Déjà Vu All Over Again . . . Again: FTC Delays Red Flags Rule until June 1, 2010; Congress May Exempt Small Employers

Business Law Alert

08/31/09

Red Flag Rules: Is My Business Covered by the Red Flags Rule?

Success Stories

Sustainable Dairy

The Quarles & Brady Clean Energy, Climate Change & Sustainability Team helped a large dairy-cooperative plant and other local businesses develop a wastewater treatment plant that would also generate renewable energy. We coordinated efforts among three large dairy manufacturers, including our client, to form a joint venture. We then helped our clients and the municipality talk through and plan the project, secure the necessary permitting, find financing, and begin construction of the facility to take advantage of significant incentives available through the American Recovery and Reinvestment Act. The use of New Markets Tax Credits (NMTCs) lowered the costs of financing and put the facility in a position to operate profitably over the long term. We will continue to work on the project until the biomass facility is up and running, and when it is, it will reclaim the water used to process our client's food products, treat and send the reclaimed organic waste to local fields to be used as ecological fertilizer, and—along the way—employ anaerobic digestion to create electricity.